

COMMONWEALTH OF KENTUCKY
CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR MEDICAID SERVICES

IN RE: HOME HEALTH TECHNICAL ADVISORY COUNCIL

May 25, 2016
11:00 A.M.
James Thompson Training Room
Cabinet for Health & Family Services
275 East Main Street
Frankfort, Kentucky 40601

APPEARANCES

Sharon Branham
CHAIR

Susan Stewart
Rebecca Cartright
Billie Dyer
(appearing telephonically)
TAC MEMBERS

CAPITAL CITY COURT REPORTING

TERRI H. PELOSI, COURT REPORTER
900 CHESTNUT DRIVE
FRANKFORT, KENTUCKY 40601
(502) 223-1118

APPEARANCES

(Continued)

Earl Gresham
DIVISION OF COMMUNITY
ALTERNATIVES

Niki Martin
HPE

Gregg Stratton
Robbie Eastham
Lori Gresham
Marilyn Ferguson
DEPARTMENT FOR MEDICAID SERVICES

Laura Sanders
DEPARTMENT FOR
COMMUNITY-BASED SERVICES

Pat Russell
WELLCARE

Kathleen Ryan
ANTHEM

Laura Crowder
AETNA BETTER HEALTH

Mary Hieatt
HUMANA-CARESOURCE

Jack Bolos
PASSPORT HEALTH PLAN

Joyce Lewis
Darlene Litteral
Brian Lebanon
PROFESSIONAL HOME HEALTH CARE

Annette Gervais
KENTUCKY HOME CARE ASSOCIATION

Appearing Telephonically:

Juan Abreu
HUMANA-CARESOURCE

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1 MS. BRANHAM: I'm Sharon
2 Branham, Chair of the Home Health Technical Advisory
3 Council, and I will call the meeting to order.

4 Monday evening, I sent out the
5 TAC agenda, and please make note that I was in a
6 time war because I labeled it May 22, 2015 for some
7 unknown reason. So, for those of you that would
8 like a correct agenda, you will find it here at the
9 end of the table with today's date of May 25th of
10 2016.

11 To begin with, our Old
12 Business--first of all, I guess we could do
13 introductions around the room.

14 (INTRODUCTIONS)

15 If everybody has had the
16 opportunity to review the minutes of the March
17 meeting, I will take a motion to accept those
18 minutes or if there are any changes, let's so note.

19 MS. CARTRIGHT: I make a
20 motion.

21 MS. STEWART: Second.

22 MS. BRANHAM: Absent from our
23 meeting is Missy Bonsutto, Kentucky Home Care
24 Association, another TAC member.

25 Let's talk a little bit about

1 some old business on the denials for supplies
2 because MCOs are requesting denials from Medicare,
3 although Medicare does not generally provide denials
4 for a patient who does not have a Medicare skill.

5 This is a topic that has been
6 on or about the agenda for a few years now. We
7 spoke with the Palmetto representatives at the
8 Kentucky Home Care Conference last week who
9 reinforced the fact that it's difficult to get
10 denials for agencies to utilize to bill the MCOs
11 with a denial.

12 So, in light of that fact, we
13 have been instructed in the past to use a 12 code
14 which denotes that the patient is dual eligible and
15 that they are being seen for a non-Medicare billable
16 service and claims are being rejected as not a
17 proper code.

18 The code was put in place to
19 let the MCOs know that this is not a billable
20 service to Medicare, and those claims that have this
21 code, and particularly, as has been brought to my
22 attention, Aetna, Passport and Anthem are denying
23 them.

24 So, we would like to have a
25 resolve to this issue or suggestions of resolve to

1 this issue on allowing agencies to bill dual
2 eligible patients for services they receive which
3 are not Medicare skilled services.

4 Any suggestions other than
5 give examples to each MCO on denials? I guess
6 because we have been dealing with this probably
7 since November or December of 2011, I would think
8 that we should be able to come to some resolution
9 from the MCOs to their staff that process these
10 claims that the 12 code denotes that this is not
11 billable to Medicare. And although the patient may
12 have Medicare, this is not a skill, so, therefore,
13 we cannot bill it.

14 So, we would like the ability
15 to have these claims processed without them being
16 rejected for a code that we were given and told to
17 bill with. They're processing with a couple of MCOs
18 but not with others.

19 So, suggestions from the MCO
20 reps as to what we can do to alleviate this problem?

21 MR. BOLOS: I'm not familiar
22 with that issue. So, like you said, I would like to
23 see a couple of examples and then we'll get right on
24 it and figure out what it is.

25 MS. RYAN: And I would say the

1 same thing from Aetna. I wasn't aware and I would
2 love some examples and we'll get right on it.

3 MS. CROWDER: And for Aetna as
4 well.

5 MS. BRANHAM: Okay. I'll give
6 those. I guess, Robbie and Gregg, are we going to
7 work through you guys now since Erin isn't here to
8 facilitate those examples?

9 MR. EASTHAM: Yes, that would
10 probably be the more appropriate thing is to just
11 send it to me.

12 MR. STRATTON: Send them over
13 to Robbie. You can copy me if you'd like but Robbie
14 is the one who will make sure they get sent over.

15 MS. BRANHAM: Okay. Thank
16 you.

17 Agencies have reported that
18 they are receiving home health denials because
19 providers are exceeding supply limit. And, again,
20 we've been through the greater than \$250, no
21 authorization, \$500, no authorization, yet, when
22 they're billed, the denial is this exceeds the
23 limit.

24 And it was our understanding
25 that any time that the items are less than,

1 depending on which MCO it is, that these claims
2 should process cleanly. So, they're not doing that,
3 and these are claims that have to be resubmitted and
4 time on the phone. And, again, this is something
5 that has been on the agenda for a period of time.

6 I guess the MCOs should give
7 to us information that they would deny a claim that
8 exceeds the limits for a \$250 amount or a \$500
9 amount, and that would be the best way, I guess, for
10 us to alleviate this problem. And, then, if we have
11 that from the MCOs, then, anybody that is receiving
12 these denials, then, we should be able to submit
13 that with the bill and the bill be a clean claim and
14 paid.

15 MS. RUSSELL: Sharon, I'll
16 start. This is Pat Russell. I know we have some of
17 those. We have been going back and forth with
18 several of the agencies. We did set up a call with
19 Billie and Susan, I think part of your team was on
20 it. And actually what we have done now is we have
21 an outside group that is reviewing our units to
22 determine if those units are, indeed, appropriate or
23 should they be unlimited. So, I anticipate within
24 the next probably two weeks, three weeks, we should
25 have some results back from them at which point

1 we'll look at what their recommendations are and
2 then let you guys know what we decide as far as
3 that.

4 As far as bringing it down to
5 the dollar limit so that we could say everything
6 that's within the \$500 gets paid regardless, I don't
7 know that our structure can do that because if it's
8 something that's not covered but it falls under five
9 hundred bucks, then, it would still go through.

10 MS. BRANHAM: But these
11 are----

12 MS. RUSSELL: But I can't
13 separate one from the other is what I'm saying,
14 Sharon, so, if it's an item that's not covered and
15 an item that's covered all under that \$500, but I
16 will go back and look and see what kind of
17 capability our system has.

18 MS. BRANHAM: Billie, one of
19 your staff or through the Alliance submitted to me
20 this question because I guess that the call was in
21 April sometime and there hasn't been any followup or
22 any processing of those claims. Is that correct?

23 MS. DYER: Yes. I'm here.
24 Can you hear me?

25 MS. BRANHAM: Yes.

1 MS. DYER: I'm not aware of
2 that situation or being resolved. I'm not sure
3 which agency that was but nobody directly contacted
4 me about that or spoke to me, Sharon. So, I'm not
5 sure. I'd be glad to help follow up or facilitate
6 however I can on it.

7 I just know it's extremely
8 confusing to have all those restrictions on there.
9 People are always up in the air trying to figure out
10 what we can order or what we can't.

11 MS. STEWART: We had that
12 issue and ours is not resolved yet, if that's your
13 question.

14 MS. BRANHAM: So, there has
15 been an outside source hired by WellCare to review
16 these claims?

17 MS. RUSSELL: What they are
18 doing is they are reviewing the limit maximum we
19 have set.

20 MS. STEWART: So, they're
21 reviewing your criteria.

22 MS. RUSSELL: Our criteria,
23 yes.

24 MS. STEWART: And if they come
25 back and say you're wrong, what happens? Don't

1 know?

2 MS. RUSSELL: I don't know.

3 MS. STEWART: But if they come
4 back and say you're right but we have the
5 understanding that it should be covered, so, then,
6 we're SOL?

7 MS. RUSSELL: I don't know the
8 answer to that one either, Susan. It's one of those
9 things we're going to have to figure out once we
10 know what they say.

11 MS. BRANHAM: And I guess the
12 frustrating component of this is we have been here
13 since November of '11, and it seems like I could
14 just change the date on the top of the agenda
15 because they're the same issues.

16 I thought all providers have
17 the manuals from the Managed Care Organizations in
18 regards to what is an allowable and what is an
19 unallowable billing for medical supplies, and this
20 is basically where we are focusing this discussion
21 at currently, and here we are again dealing with
22 what's allowable and what's not allowable.

23 So, if we're going to proceed
24 and have these kinds of issues worked out, then, we
25 need to know what's allowable and what's not

1 allowable or what limits are there or not limits are
2 there because we've always been told limits are
3 soft, but, yet, we bill them line item and it's
4 under the amount and it is a covered service, then,
5 what are providers supposed to do?

6 MS. STEWART: I think my
7 question would be for Gregg. At what point do you
8 all on your side say enough is enough with our
9 frustration with the MCOs?

10 MR. STRATTON: Well, you would
11 have to send us some specifics and let us look into
12 it because I'm not aware of it until today except
13 for what's been in the minutes.

14 MS. BRANHAM: So, should we
15 ask the MCOs to give us their covered and non-
16 covered listing for medical supplies so that
17 everyone knows that----

18 MS. STEWART: Isn't it a
19 Medicaid what should and shouldn't be covered?

20 MS. BRANHAM: I'm just trying
21 to say, okay, here it is, okay, here it's not, and
22 then go forward.

23 MR. ABREU: This is Juan with
24 CareSource. If it's on the Medicaid fee schedule
25 and it's priced there, I can tell you that it's

1 covered. So, if you want to provide specific
2 examples, I can do further research and for whatever
3 reason it's not on that list.

4 MS. BRANHAM: Okay. Well, in
5 light of that, I guess that as a committee, we will
6 attempt to give each MCO what they say they will
7 cover and not cover, and then you tell us and then
8 we can go from there along with providing specific
9 examples to Gregg of denials for limits versus
10 dollars.

11 I mean, it's been both ways
12 and we have been trying to work through this but we
13 can't seem to get this in a concrete fashion that
14 agencies know they can bill this and provide this or
15 they can provide this, bill it, and although it's
16 covered, it be denied.

17 I don't know the easiest way
18 and I'm open for suggestions to communicate the
19 easiest way to remedy this.

20 MS. RYAN: This is Kathleen
21 from Anthem. For me, it would be helpful to see
22 claims to understand what is denying if there are
23 any from Anthem just so we understand where the
24 issue is because it may just be a claims issue and
25 not a coverage issue. So, I would just like to

1 understand where the problem is.

2 MS. BRANHAM: Generally, those
3 denials will say it exceeds the limit, although
4 agencies in good faith bill it when it's under the
5 limit or a covered--when we follow the State health
6 plan, it's a covered item under the limit for the
7 State health plan.

8 Okay. The takeaway from that
9 is we will get the specific denials that shows it's
10 a denial for limit versus item, and we will process
11 through Gregg and Robbie and direct to the
12 appropriate MCO. And, then, at our July meeting,
13 you all can have that information for us.

14 Incontinent products with T
15 codes are not processing for home health providers
16 to the MCOs. And if they do not process with a T
17 code, do MCOs have another code they would like us
18 to use so that we can bill this and be paid
19 appropriately?

20 MS. RYAN: This is Kathleen
21 from Anthem. I'm not aware it's an issue. I know
22 we have T codes. So, if you've got examples for
23 Anthem, we'll be happy to look at those.

24 MS. BRANHAM: And all MCOs
25 recognize that T codes are used for incontinent

1 products but request specific examples.

2 MR. BOLOS: I know I had an
3 example this week. Someone called me, a home health
4 agency - I can't remember which one it was - and it
5 was the T codes for two separate dates and they said
6 why is one paying and why is one not. And after I
7 looked into it, they used two separate T codes. So,
8 I sent it back to them and said why are you----

9 MS. BRANHAM: Was one for an
10 underpad and one was for----

11 MR. BOLOS: I don't know what
12 it was. But, anyway, so, I put it back on them, but
13 I know we cover them. So, if we could see examples,
14 but I'm not for sure. That other code she gave us
15 looked like it wasn't covered.

16 MS. BRANHAM: One code----

17 MR. BOLOS: One code was
18 covered and one didn't look like it was. Anyway, I
19 put that back----

20 MS. BRANHAM: You don't know
21 the products. You didn't----

22 MR. BOLOS: No. I've just put
23 it back to her and said why are you filing two
24 different T codes.

25 MS. BRANHAM: Well, we bill

1 depending on what the incontinent product is.

2 MR. BOLOS: Well, she seemed
3 to think they were both the same T code in that
4 instance.

5 MS. BRANHAM: But it was not.

6 MR. BOLOS: No. Anyway, that
7 would be nice if we could just get you a list of the
8 T codes covered.

9 MS. BRANHAM: Okay. Then, I'm
10 requesting that the MCOs provide T codes that are
11 covered to us by the next TAC meeting. You can send
12 them to Gregg and Robbie or to me.

13 Talking about prior
14 authorizations with MCOs, and, again, I'm banging
15 the drum, skilled nursing services, prior
16 authorization has been given in generally an
17 appropriate turnaround time, yet, the therapies are
18 coming by mail. Authorization for therapies are
19 coming by mail and it can take up to two weeks.

20 And this is important when
21 patients are being discharged from nursing homes or
22 from the hospital and they've had a knee or a hip
23 and therapy needs to start sooner rather than later.

24 And we've asked this before as
25 a committee to the MCOs, and I don't guess there's

1 been a remedy put in place by the MCOs in regards to
2 expediting the prior authorization for therapy
3 services to begin.

4 And if it's a therapy-only
5 patient, then, the patient has a longer length of
6 stay in their respective provider prior to coming to
7 home health.

8 I do know that some MCOs fax.
9 Do you all know as the MCO representatives if you
10 all fax the prior authorization for PT, ST and OT or
11 do you do them mail?

12 MS. RYAN: This is Kathleen,
13 Anthem. I would say that we always review within,
14 if it's an urgent, we're going to do it expedited.
15 We look for those discharged cases so that we're
16 working them quickly.

17 When we do approve, we submit
18 either a phone or a fax response the day it's
19 approved and it's followed up with an approval
20 letter, but we always communicate the day of
21 approval. If it's a fax request, we usually fax
22 back the response.

23 MS. BRANHAM: And if it's a
24 phone, you give that.

25 MS. RYAN: Yes.

1 MS. BRANHAM: Okay.
2 MR. ABREU: This is
3 CareSource. We also respond the day that we make
4 the decision either by phone or fax and then we
5 follow up with a letter. And if a request is urgent
6 and it's marked urgent, we treat it that way.
7 MS. BRANHAM: So, is it
8 important from the MCO's perspective if urgent is
9 marked on a fax request or a verbal request that
10 lets you all know that it should be processed
11 immediately?
12 MS. CROWDER: Are you just
13 referring to the discharge planning aspect of it?
14 MS. BRANHAM: Well, both
15 actually.
16 MS. CROWDER: Because if it's
17 discharge, we prefer that you put that on there and
18 they know that that moves it to urgent.
19 MS. STEWART: Say that again.
20 MS. CROWDER: For the ones
21 that are getting discharged from the hospitals, if
22 you put in your request and state that this is a
23 discharge so that it gets moved up to urgent and
24 they know to process them quickly.
25 MS. BRANHAM: Others?

1 MS. RUSSELL: We fax back our
2 response. Our decisions are made within the 48-hour
3 time frame or 24 if it's marked as urgent or we
4 perceive it to be urgent, and then we follow with a
5 letter.

6 MR. BOLOS: And Passport, we
7 will either call back or fax back the same day
8 usually.

9 MS. BRANHAM: New Business.
10 At the March meeting, I charged the MCOs to provide
11 to the TAC their written process in place for EPSDT
12 clients and authorizations for their services.

13 And we've talked a lot
14 historically in these meetings about medical
15 necessity, services ordered and the time that it
16 takes to prior authorize requested services.

17 And oftentimes agencies are
18 given a small amount of visits, particularly on the
19 therapy side and the fact that these are children
20 who don't have much movement in two or three visits.

21 So, the request was made for
22 the MCOs to provide to the TAC for providers in
23 Kentucky about EPSDT. And really I received a reply
24 from everyone within the time frame - thank you very
25 much - but I didn't receive any step-by-step process

1 for EPSDT and a plan of care.

2 What I did receive was that
3 the PA is required regardless of age or the program
4 for aides, private duty, social worker and PT, ST
5 and OT after the twentieth visit per benefit.

6 So, I didn't really get what
7 we were looking for to alleviate staying on the
8 phone and requesting visits for these clients.
9 WellCare is the one that did agree for a six-month
10 plan of treatment. Of course, we all know they're
11 medically necessary, but I didn't get a step-by-
12 step.

13 So, with that being said, all
14 MCOs cover the EPSDT services and they don't deny
15 the services, but it's difficult to ascertain about
16 getting any kind of agreeable plan of treatment for
17 an amount of time.

18 We would be amenable to a two-
19 month or a three-month authorization for a plan of
20 care. And, of course, if any changes are so noted,
21 the MCOs would be notified of that, but we really
22 didn't get that.

23 What is happening is there are
24 a large number of the providers for EPSDT are
25 dwindling in relation to the burden for providing

1 these services and the ongoing requests for
2 authorization.

3 So, what I had hoped was that
4 we could work together to receive a two-, three-
5 month, you know, two to three times a week for
6 therapy prior authorization but we really didn't get
7 that.

8 So, I was a little bit
9 disappointed in that respect; and in my email to the
10 MCOs, I did state that we know that it's medically
11 necessary or the child would not be entered in the
12 EPSDT Program. We already know who we are dealing
13 with.

14 And if we're calling for
15 authorization for an EPSDT child and we submit the
16 information that these children, it's medically
17 necessary that they are receiving the service, and
18 then we get four visits, it's very difficult to
19 provide the service and call in two weeks and get
20 four more visits.

21 And, really, we feel like it's
22 more rationing of services to this particular group
23 that utilizes this service rather than working
24 together to be sure that these kids get the service
25 and the provider can provide it without an

1 obstructed amount of paperwork and time spent on the
2 phone.

3 Any suggestions or
4 breakthrough on this for us?

5 MS. DYER: Sharon, can I add
6 just a little something there?

7 MS. BRANHAM: Sure.

8 MS. DYER: At a roundtable at
9 Kentucky Home Care last week at the Board of
10 Directors then, it was reverberated just exactly
11 what Sharon is saying. The rationing of visits is
12 what it appears like to most people involved.

13 And by that, we mean, okay,
14 you might have "x" amount of duration that the
15 visits are being covered, but they're about half of
16 what the requested visits are that are ordered by
17 the physician for the frequency of visits.

18 So, if you even are fortunate
19 to get a two-month duration of approval and you're
20 requesting two times a week for that time period,
21 what we hear from everybody involved in EPSDT
22 Special Services and we heard at that meeting,
23 correct, Sharon?

24 MS. BRANHAM: Yes.

25 MS. DYER: That they're

1 getting pretty much approval on half. So, it's not
2 specific to one agency. It's not lack of
3 information. It's not lack of medical necessity.
4 It is only getting half of what is requested most of
5 the time is what we understand and it's what we have
6 experienced at our agency.

7 MS. BRANHAM: And actually the
8 public health departments carry the burden of this
9 providership group. And, again, it's just really
10 difficult to have a physician's order for EPSDT and
11 oftentimes a child has been in EPSDT for a period of
12 time and we are calling with a new authorization for
13 therapy visits two times a week and they will
14 specify what the specific therapy is for eight weeks
15 and we don't get that, or if it's four visits a week
16 for eight weeks, they will give us two visits a week
17 for four weeks.

18 A plan of care typically, as
19 we said, is 60 days and it goes to six months on
20 EPSDT. And it's very frustrating, and I think this
21 is a group like our other pediatric special service
22 groups in Kentucky that are not receiving the
23 services that they are eligible for. The money is
24 there to be paid for the therapy and it's just
25 really frustrating when you call with an order for

1 these children and we're having to follow back up
2 more than should be necessary to request visits for
3 these kids.

4 So, again, I'm asking the MCOs
5 who have put in writing to the committee that it's
6 medically necessary - we know that - and that these
7 visits are approved, yet, when we come to ask for
8 "x" number of visits that are ordered and which is
9 really a plan of care that the physician has set
10 forth and the therapists have done their evaluation
11 that we can't provide.

12 So, we're looking for some
13 assistance on this still. Any suggestions?

14 Okay. Then, I'm going to look
15 to Medicaid to guide us. You all are the only ones
16 that can assist us in getting the services for the
17 children that are needed. So, I'm going to look to
18 you guys to assist us in this matter.

19 Before, Marilyn, didn't we
20 receive longer authorizations?

21 MS. FERGUSON: Yes.

22 MS. BRANHAM: And that's a
23 program that there hasn't been any fraud and abuse
24 in and these children are monitored and the
25 therapists are there providing the service and their

1 notes give us information as to the progression that
2 these children are making.

3 I guess we're just asking
4 Medicaid to help us with the MCOs in regards to the
5 undue burden that's placed on agencies providing the
6 service.

7 MR. STRATTON: Sharon, I'll
8 have a representative come for the July meeting. If
9 there are any questions in between, go ahead and
10 send them to me, but the person who can answer that
11 is not here today but we'll get her to the July
12 meeting or somebody in that department.

13 MS. BRANHAM: Okay. So, I'm
14 going to submit, Gregg, to you a request for at
15 least following historical approval for services for
16 this specific group of children that the State
17 health plan has had in place and it's my
18 understanding the MCOs should probably just mimic
19 that and follow it down the line.

20 I just don't want to lose any
21 more providers for this special group of individuals
22 but we are because of the frustration.

23 Billie, would you echo that
24 about the public health departments?

25 MS. DYER: Yes. I can tell

1 you that people are very frustrated with it, and
2 what they are frustrated with is what we've probably
3 said at every TAC for I can't even remember how
4 long.

5 I'm pretty sure that I'm
6 accurate about this, that what it does is it
7 frustrates people to the point, people being the
8 therapists and/or families who have to get
9 permission for an appeal if we appeal the frequency
10 that we get orders. We have to get permission from
11 the family, then appeal it and get the physician
12 involved, and it's just a very laborious task, and
13 people don't have the funds to spend for staffing to
14 try to just continue to request and sort of beg for
15 what the child needs.

16 We've talked about and anybody
17 can come and see or look at the patient population
18 that is served. It's a very needy population
19 because of congenital anomalies, very severe medical
20 diagnoses that, as Sharon very well said, their
21 progress may only move forward in minute amounts,
22 but overall they have seen movement in their
23 progress.

24 So, it's a very important
25 program for the State of Kentucky, for Medicaid

1 Services. I do believe that it probably keeps
2 expenses down overall, but it is just very
3 frustrating to ask for "x" amount of visits that are
4 needed, given the patient population, and to have to
5 just repeatedly call and that's what we're told.
6 I'm told by our coordinator, our clerical person
7 that gets all of these patients preauthed for
8 services that you're welcome to come back.

9 Well, that's all fine and
10 good, but they need it. It's not like they just
11 need it for a couple of weeks. I wish they did.

12 And I know, Rebecca, I think
13 you've gained an EPSDT Special Services. I don't
14 know about Susan and Sharon. They do some, I think.
15 One of the agencies in the health department or
16 public home health group has I think 600 children,
17 the last count I knew.

18 So, collectively, when we add
19 up, it's a whole lot of children served that
20 improves the quality of life for the parents a lot
21 of times. It makes the child be able to be managed
22 at home with the services. Not all of them are that
23 severe but some are, and some of them might not need
24 it as long, but we truly are asking for what the
25 doctor orders. That medical necessity is already

1 there. We've looked at everything, our own internal
2 documentation, everything that we can possibly do to
3 try to get this to move forward.

4 Some MCOs are more on target
5 than others for approving what is requested.

6 MR. ABREU: This is
7 CareSource. Going along with that last phrase and
8 at the risk of sounding like I'm going against the
9 grain or being difficult, our standard practice,
10 especially with this EPSDT population for the
11 reasons that you've just stated is to approve what
12 was requested. Otherwise, all we're doing is
13 creating administrative burden on the provider's
14 side and an administrative burden frankly on my
15 team.

16 So, again, I go back to
17 specific examples. If I could have specific
18 examples of where we are not following this
19 practice, I'll be more than happy to perform re-
20 education, but I'm not seeing evidence of this on
21 our side.

22 MS. BRANHAM: Thank you, Juan.
23 That's all we're asking, if we can come to some kind
24 of an understanding that we know the population that
25 we're serving. We have been serving these kids for

1 a long time in Kentucky and the program was
2 developed to help these children have a better
3 quality of life, communication skills, ability to
4 walk, activities of daily living.

5 And some of the MCOs in the
6 state are not taking that into consideration when
7 we're trying to follow a plan of care set forth by
8 the therapist and set forth by the physician, and I
9 think they know those children individually that are
10 in the MCOs.

11 The Prior Authorization
12 Department is sitting there and denying these
13 visits. And, again, we're calling you all more.
14 We're having to appeal the visits, and I think there
15 should be some kind of middle ground that we can
16 reach for this specific population.

17 So, Greg, again, Juan, one as
18 a followup to you, I'll ask if any are CareSource,
19 and, Greg, we'll put the specifics in writing and
20 mimic the State health plan that we have
21 historically dealt with and see if we can't get the
22 Department to help us provide this care to these
23 kids and then we can have that put to you and then
24 you'll have the correct representative or someone
25 from that department here at our July meeting.

1 Thank you.

2 I'm going to jump around a
3 little bit. I'm going to move skilled services
4 down, and I'm going to talk a little bit about the
5 inability of agencies to receive or to have
6 processed the MAP-24's and the 552's and all of that
7 that relate to waiver services.

8 And we've talked a lot about
9 this in the past and the 1-800 number that you try
10 to call. Before we were able to reach out to
11 specific DCBS offices and ask them to assist
12 processing of the applications for the waiver
13 programs and we were able to have a good working
14 relationship and know what the issues were, and then
15 we can proceed and get approval to get services to
16 these people.

17 But it's my understanding
18 through the roundtable that we had last week and
19 it's been on the agenda for a long time that relates
20 to this kind of whole MWMA, the new waiver. The
21 conflict-free has been like spinning in a tornado.
22 Folks are trying to use the portal and receive the
23 ticket number and direct families how to go to the
24 office to have their paperwork submitted or if
25 they're denied, what's wrong and tell them what to

1 take back to the office.

2 And they go to the local
3 offices and those folks there tell them that there's
4 nothing wrong, but, yet, you can't get your services
5 paid for and you can't get authorization.

6 And this whole MWMA, the
7 portal, the conflict-free, those kinds of things
8 have put this program in dire jeopardy in the State
9 of Kentucky, and that's about the only way I know to
10 say it.

11 We have proposed regulations
12 but they cannot be adopted until CMS approves the
13 waiver. And we don't know when that's going to
14 occur because it's on their time line and not ours,
15 but there are many issues that relate to coverage
16 and eligibility and authorization and are we in the
17 old way, are we in the new way, where are we and
18 what do we do.

19 And I guess now that we know
20 that the regulations are there and that we're still
21 awaiting CMS approval on the waiver, we have some
22 folks that have been hanging out there since January
23 and February trying to get their applications for
24 services approved.

25 And this affects a large

1 population that relates to what the Cabinet has
2 control on. So, I guess I'm asking Gregg and
3 Robbie, what shall we tell the providers, the home
4 health providers out there what's going on with MWMA
5 and conflict-free?

6 MR. STRATTON: Well, I'm going
7 to start with the regulation and the waiver. Right
8 now, everything is held up in limbo, and we expect
9 to go live with the new regulation July 1. That is
10 the most current date. Again, that's tentative
11 subject to change but that's the date we've been
12 given by the Director.

13 Now, as far as conflict-free,
14 I'm going to let Lori, if she doesn't mind speaking
15 on that.

16 MS. GRESHAM: Conflict-free,
17 as you all know, came about because of a federal
18 final rule governing Home- and Community-Based
19 Waiver Services. That is not something that they
20 are waiving on at all other than the geographical
21 exception. And from all of our communications come
22 July 1, that will be a requirement.

23 MS. BRANHAM: As far as these
24 initial assessments if their paperwork is processed
25 from DCBS, who--I mean, I personally have never met

1 anybody who was contracted with by the Cabinet from
2 I understand the University of Kentucky to do the
3 initial assessments. Where is that at currently, I
4 guess?

5 MS. GRESHAM: That's me as
6 well. We do have independent assessors for the HCB
7 assessments. That's separate from MWMA. They're
8 each their own initiative.

9 Those people are currently
10 working with some of the AAA's who have said that,
11 yes, we will jump on that project and work with you
12 all to do that and they are out there doing
13 assessments and they will continue. Come July 1,
14 they will take over that function totally.

15 MS. BRANHAM: And currently
16 the ADDs are doing it?

17 MS. GRESHAM: Yes. Some of
18 them have said we will pilot with your nurse
19 assessors and are allowing them to come in and do
20 those pretty much for administrative burden,
21 assistance with that; but come July 1, it will come
22 to the independent assessors.

23 MS. BRANHAM: You know, I know
24 that my agency has received calls and our number has
25 been given to the individual and they've reached out

1 and they've called and then we will talk to them
2 about the services and qualification for services
3 and the legal hubbub that goes all around that.

4 And it seems that the initial
5 assessors are not communicating to these clients
6 that there are certain qualifications and estate
7 recovery, and it's like they're just giving them a
8 phone number to call but they're not giving them
9 appropriate information for them to be able to know
10 what is going to involve if they are a new client
11 for this program.

12 And when they are told what
13 the qualifications are for this program, they're
14 like, well, we don't want it.

15 So, I have some concerns about
16 the AD Districts giving appropriate information
17 about the qualification of services. And, then, if
18 the AD District is handing that off to the
19 independent assessors, are they giving them
20 information that they are giving the patient because
21 if they are, then, there needs to be some training
22 related to taking out that step of them feeling like
23 the agency that contacts them to provide the
24 services is telling them something that they've
25 never been told before and, therefore, they don't

1 want it.

2 MS. GRESHAM: And I can't
3 speak to the ADDs. I know that they are taking
4 notes to discuss that; but for the independent
5 assessors, their job is not to provide the client.
6 Their job is solely to assess and to submit that to
7 CareWise for determination for eligibility of their
8 waiver. Their sole job is to be an independent
9 assessor and just complete the assessment.

10 And the other gentleman can
11 take back in regards to the ADD information and what
12 they're giving out. And I'm assuming you're
13 speaking of patient liability, things like that.

14 MS. BRANHAM: Yes. Yes.

15 MS. GRESHAM: And our
16 independent assessors wouldn't know patient
17 liability. All they are to do is to go in and
18 assess to give that information to CareWise. The
19 goal of that assessor is not to--they don't
20 determine services.

21 MS. BRANHAM: Oh, I'm not
22 speaking about determining, but how are they going
23 to answer the questions of these clients if they
24 don't know the----

25 MS. GRESHAM: Then, they give

1 them information to where to go to get those
2 answers. They are solely assessors. That is their
3 sole position.

4 MS. BRANHAM: I think we're
5 missing a step, though, in between someone
6 interested in the program and seeing if they
7 qualify, and, then, that information being given to
8 the independent assessor, and, then, the independent
9 assessor assessing, and, then, an agency that's
10 willing to provide the services goes through the
11 information as well. And, then, they're like, oh,
12 no, uh-uh (negative), we're not going to do that.

13 I don't know where the
14 communication breakdown is, but I know that it seems
15 to me like there's a lot of time and energy and
16 effort and money spent in this initial process and
17 prospective clients are not understanding all of the
18 program.

19 MS. DYER: Are you also
20 referring to, what we're accustomed to doing is when
21 we go in and do a waiver assessment and then it's
22 done by--it can be done by whatever the regs say, a
23 social worker, nurse, etcetera, that part of that
24 packet to work through, the assessment is done, but
25 the estate recovery papers have to be signed. I

1 think that's what you're referring to, aren't you,
2 Sharon?

3 MS. BRANHAM: Yes.

4 MS. DYER: So, are the
5 independent assessors--I think that's what Sharon is
6 saying. Maybe I'm wrong, but I don't know if you're
7 understanding that, that you're thinking, Sharon,
8 that the independent assessors, or you have been
9 told so, that they are not explaining that you have
10 to sign an estate recovery in order to move forward
11 with even being reviewed or whatever for this
12 program.

13 MS. BRANHAM: I think that
14 currently the ADD has been doing this, and I think
15 they're missing a step about this estate recovery
16 paperwork before it ever goes--that the message is
17 put out to these independent assessors to go do an
18 assessment.

19 And if they do an assessment
20 and they put it in the portal and an agency picks
21 that up and an agency talks to the patient about the
22 admission paperwork, then, you get to the estate
23 recovery and they're like, no.

24 So, I don't know what we're
25 missing here, but I do think that we're spending

1 some time, energy and effort that's not necessary if
2 everybody understands how the waiver program works.

3 MS. STEWART: How does your
4 assessor know where to go?

5 MS. GRESHAM: They're given a
6 list and say here are the clients that need to be
7 assessed.

8 MS. STEWART: Given by who?

9 MS. GRESHAM: The AAA. I've
10 confirmed it's the AAA that has been--not the
11 independent assessor themselves. The AAA has them
12 sign the estate recovery paperwork. I just
13 confirmed that with our assessors.

14 MS. BRANHAM: So, the AAA has
15 a name. They have to get the paperwork signed by
16 doing a visit.

17 MS. GRESHAM: How they do that
18 I'm not sure.

19 MR. GRESHAM: Can I just
20 interrupt for a second?

21 MS. BRANHAM: Yes.

22 MR. GRESHAM: The way the
23 process is being done now is not how it will be done
24 in the future. Right now they're just doing a pilot
25 project to see what the (inaudible) is going to do

1 compared to the 351 currently. That's all they're
2 doing. So, the process as it's moving forward right
3 now is the same as it should have been done for the
4 past however long we've been doing this current
5 regulation.

6 Once we move to the new
7 regulation and it's approved and final and we have
8 the waiver approved and we're ready to proceed with
9 MWMA and all that stuff, then, the member will sign
10 up in MWMA, either through them or through somebody
11 that can help them with that. They will fill out
12 the application.

13 I'm 95% sure that the MAP 350
14 is in the initial application that they fill out.
15 I'll verify that and make sure, but it should be in
16 the initial application they fill out.

17 Once the application is
18 completely filled out, then, HP looks at it to see
19 which waiver - they pre-screen - to see which waiver
20 it goes to.

21 Once it's assigned to a waiver
22 and one of my staff says, yes, they meet capacity or
23 meet the qualifications or whatever to proceed,
24 then, DCBS starts their part as far as doing the
25 financial eligibility.

1 Once that's done, then, it
2 triggers the note for the assessor to go out and do
3 that assessment. Once the assessment is completed,
4 it's uploaded in MWMA. CareWise reviews the
5 assessment and determines whether they meet level of
6 care.

7 If the member does meet level
8 of care, then, they are sent a letter saying, yes,
9 they do meet and they receive a list of all the
10 agencies they can go to to ask if you will perform
11 services for them and they will contact you.

12 MS. DYER: I just wanted to
13 say a little something here. From the health
14 department home health agencies that are currently
15 doing Home- and Community-Based Waiver, we have a
16 group called Kentucky Public Home Health Alliance
17 and I'm just president of that. I don't run all
18 those agencies, but we do talk about concerns and
19 how we can work through those.

20 And the biggest concern--I
21 have two pages back on my desk of concerns about
22 switching to MWMA, the new waiver, whatever the
23 terms are. And the #1 thing with MWMA, if we're
24 going to change effective July 1 to the new waiver,
25 then, we have to upload - again I'm assuming - all

1 of our patients again into the MWMA. People don't
2 know how to do that now. They can't get in. And
3 when they do contact for tickets, etcetera, just
4 like Sharon is saying, they don't get back to them.

5 So, we don't even really
6 understand - and I'm just telling you our concerns -
7 that how are we going to make this happen. From an
8 agency standpoint, and I think someone a minute ago
9 - not there - I think somebody that I probably have
10 never seen before talked about that the independent
11 assessors were put in to relieve the agencies of the
12 burden of assisting.

13 It was never a burden for us
14 to assess. I don't know where that information came
15 from or why that was filtered out there because we
16 never felt like that was a burden. We simply tried
17 to help get the patients the services they needed.

18 I guess I've never heard
19 really before now today that those independent
20 assessors out there with the AD Districts - I guess
21 that's who mainly they're working with - is a pilot
22 program.

23 I hear July 1 and I
24 immediately think, oh, my gosh, here we are and this
25 is the end of May and we have all these waiver

1 patients that we want to take care of and we have
2 June then if this thing does go into effect July 1.

3 Now, we got emails from
4 Commissioner Anderson that says she is hopeful to go
5 in July 1. So, I don't know how we can turn this
6 thing, really understand is the pilot working. I
7 think we're still back at square one in many ways of
8 not understanding how we're going to roll this out
9 in our own agencies. I'm not trying to be difficult
10 but how are we going to make this work?

11 Our biggest concern is if the
12 MWMA--I'm telling you when my coordinator tries to
13 train her social worker in the MWMA, she can't get
14 on long enough to help train her. So, there are
15 issues and problems that I honestly would have to
16 say from all my years from those agencies that feed
17 the information to me and from what I hear from my
18 own coordinator that there are issues that we have
19 repeatedly for months talked about and they're not
20 resolved. We would not be ready to report into that
21 program.

22 MR. GRESHAM: I tried to write
23 down things as you were going along.

24 MS. DYER: I'll be glad
25 tomorrow to forward to you and to Gregg.

1 MR. GRESHAM: That would be
2 great. First of all, any tickets that you have sent
3 in to the MWMA box that has not gotten corrected, we
4 would really like you to email those to us so we can
5 get them corrected because what we're being told on
6 our end is they're all resolved. They're obviously
7 not all resolved; but until we get that information
8 from you, we can't correct it. So, if you could
9 send that to Gregg, then, we will work on that.

10 MS. DYER: I appreciate it
11 because I don't think we've been told that before to
12 get that to you. So, we'll be very happy to do
13 that. I will email Kristen right now and tell her
14 to start getting those together.

15 She may have them resolved
16 now, but the laborious task of getting them resolved
17 has been amazing at times, most of the time, all of
18 the time from what hear, but I have about a page of
19 concerns that collectively the Kentucky Public Home
20 Health Alliance came up with at our last meeting.
21 Would you like me to send that list to you?

22 And it's not anybody trying to
23 nitpick. We're really concerned. We're mainly
24 concerned how it's all going to work for the
25 patients, too.

1 MR. GRESHAM: Yes, ma'am. We
2 would like that document as well.

3 MS. DYER: Okay. But whoever
4 thought that the assessment was a burden on the
5 agencies and won't let us do that anymore, that is
6 not true. It was not a burden. As a matter of
7 fact, I think it helped expedite getting people in
8 the system.

9 Now they're getting hung up at
10 DCBS to the point that I'm telling--you know, I
11 don't know what else to say but call the Ombudsman
12 and she can't even get through to the Ombudsman on
13 one case that she's working on.

14 So, everything that we're
15 having problems with I'll have Kristen outline,
16 Gregg, and I will send you those concerns. It's the
17 same thing Sharon just said but it's just many more
18 people saying this.

19 MR. GRESHAM: Okay. And also
20 I just wanted to let you know as well as everyone
21 else, before we go live, there will be
22 communications sent out to all the providers to let
23 them know when things are going live, what's going
24 to happen and to try to prepare everybody as much as
25 possible and to give you an ability to contact us if

1 you see something we missed.

2 MS. DYER: Okay. I just
3 confirm with my Home- and Community-Based Waiver
4 coordinator that, yes, the MAP 360 is in that
5 initial packet. I thought it was but she says it
6 absolutely is. So, okay.

7 So, then, if we're saying that
8 everything is going forward on July 1, then, really,
9 it can't go forward on July 1 because nobody is
10 going to have time. We're going to run into the
11 same thing that we ran into last year when EPSDT
12 tried to turn on July 1.

13 And with staffing and people
14 on vacation, you can't make all that happen that
15 quickly. There's people that have got, oh, my
16 goodness, 150--I mean, some of these agencies have
17 way more than that because they do the attendant
18 care already, the LPN's and that kind of thing.

19 I mean, I'm not just speaking
20 for us and the agencies I know in public home health
21 but the private agencies that do the nursing part,
22 that's going to be really hard to turn on a dime and
23 get in that system with it not functioning correctly
24 because I'm telling you, I hear from everybody, and
25 most people are not even trying to use the MWMA

1 because we were told we didn't have to and they had
2 so many problems with it that they just stopped even
3 trying to use it and we were going on through like
4 we always had to try to get the services for
5 patients that we could.

6 So, we're at square one in my
7 opinion.

8 MS. BRANHAM: Well, we all
9 know that the software has had problems and problems
10 that have also existed is you get a ticket number
11 and you try to call and the people who are supposed
12 to assist you with the ticket number don't know what
13 they are. I've had a couple of the folks involved
14 with the software trying to help providers
15 understand this whole process. It is not going
16 well.

17 And, again, I'm going to go
18 back to the ADD. The ADDs are not vetting any
19 people who they are putting out the door for
20 services. And I have been to the ADD on training
21 when Commissioner Anderson traveled around a year or
22 two ago to all the places. I just think that we've
23 got a real communication breakdown in this whole
24 process.

25 And just to reiterate, the

1 patients that are already receiving services and if
2 they're on services and the magic date of July 1
3 actually happens, are they going to continue to
4 function under that plan of care until they are
5 reassessed and then re-entered into that program?
6 So, I do understand it is the grandfather there with
7 preexisting patients, correct?

8 MR. GRESHAM: Yes. They have
9 to continue outside the system until they re-assess.

10 MS. BRANHAM: Okay. I would
11 like for this to work and all providers are willing
12 to make this happen because we know that conflict-
13 free has to and it's everywhere else, but I think
14 between our ADDs or AAA's and these independent
15 assessors and this paperwork, it's not being done as
16 it is written on paper.

17 So, the AD Districts are not
18 getting anything signed as far as the initial
19 assessment, and on the MAP 350 and the initial
20 application and getting that assigned, they're not
21 doing it. They're just sending referrals to
22 providers. And as I said, the patients don't always
23 understand about the estate recovery and those other
24 kinds of things.

25 So, any information that you

1 can give us would be helpful. And as I said, we're
2 here to try to get this worked through, but I really
3 think that we have a backlog.

4 And that's going to dovetail
5 right into--I know that Professional Home Health
6 Care Agency here in the room has presented an issue
7 that they have 20 patients who are waiting for 552's
8 in order to receive services, and some of these
9 552's have been in delay for more than four months.
10 So, what is being done to process the 552's that
11 have been outstanding for a period of months?

12 MS. FERGUSON: I didn't bring
13 it with me, but I have an email address and a 1-800
14 number that I was given this week, that if you will
15 send it there, they are tracking--DCBS is tracking
16 and assigning those 552 issues and providers are
17 receiving responses back. So, I can either run
18 upstairs and get those or I'll get those before you
19 all leave.

20 MS. STEWART: Can you get that
21 information to Annette so that we can send it out to
22 the whole group?

23 MS. FERGUSON: Yes, I will.

24 MS. BRANHAM: Marilyn, can you
25 get that to Annette?

1 MS. FERGUSON: Yes.

2 MS. STEWART: I have I guess
3 more of a statement. It's not really a question.
4 It's to the State people here, and Gregg and I
5 talked about it a couple of weeks ago.

6 What I expect to happen in my
7 area is the AD Districts are going to become case
8 managers and you're going to have no service
9 providers. We're contemplating what we're going to
10 do. We're kind of waiting to see if this really is
11 going to happen or not, but I'm telling you for my
12 home health agencies' standpoint, we will not be a
13 service provider and let the ADD's just be the case
14 managers. It's not going to happen.

15 So, I guess I'm giving you a
16 warning. A year from now, home health agencies
17 across the state could no longer be Medicaid waiver
18 providers because of what's going on with all of
19 this.

20 MS. BRANHAM: Well, it was
21 noted that when Commissioner Anderson came two-plus
22 years ago to this committee meeting and we were told
23 directly that the AAA's were losing money relating
24 to food services or their other assessments that
25 they were doing, that most of it was going to be

1 given to them and then these 20 independent
2 assessors out there.

3 And at that time, we told her
4 that some AAA's are better than others and that the
5 ones that function poorly and don't communicate with
6 providers out there, if they're given this duty and
7 they get the money from it and we're stuck with
8 losing money by providing the services, it's not
9 going to happen.

10 And we did give to
11 Commissioner Anderson different examples in
12 surrounding states whereby a group was brought in to
13 help facilitate and be employed to do this initial
14 outreach for the waiver and the assessments and did
15 a good job at it because they were trained in case
16 management, as opposed to giving this to folks in
17 the AD District, and, quite frankly, they're not
18 doing so good with it.

19 So, what I foresee happening
20 is that as reassessments come due after we
21 transition, that those patients will be looking for
22 providers throughout the state.

23 I have been here long enough
24 to know that 25 years ago when waiver came around
25 with the 1115 Waiver, that certain providers in the

1 state were given statewide waiver ability to provide
2 the services because home health agencies didn't do
3 it because it's a losing proposition.

4 And, then, agencies started
5 picking up because the case management would help
6 offset some of the losses in providing the care, but
7 I see that flipping back around and only those that
8 are strong will be able to provide this service and
9 it will probably be on a statewide basis like it was
10 given to Lake Cumberland many, many moons ago, if
11 you remember that, Susan.

12 MS. STEWART: Vaguely.

13 MS. BRANHAM: See, I've been
14 around that long. Okay. Just as a----

15 MS. STEWART: One more thing
16 just to add to that. We get calls every day and
17 sometimes they're from the State begging us to go to
18 an area that we don't provide certified home health
19 in just to become a waiver provider in another
20 county that might be five counties away because
21 another home health agency has decided to get out of
22 the waiver program.

23 This program - and Marilyn is
24 dedicated to this program and has dedicated her
25 career in Medicaid to this program. She knows that

1 this program is in dire jeopardy, probably more so
2 than EPSDT is.

3 MS. FERGUSON: I can vouch for
4 we have contacted you in the past to aks if you
5 would go above and beyond and provide a very needy
6 family some services when they couldn't find a
7 provider in their area. That's true.

8 MS. BRANHAM: So, I foresee us
9 having big issues that relate to this just so you
10 know.

11 And brought to our attention
12 as well from folks at Professional, they're having
13 numerous issues with the KY MMIS system. Services
14 cannot be preauthed for health care needs or
15 transport needs.

16 Patient coverage and
17 eligibility is reported inaccurately creating an
18 access for both health care and transportation
19 needs. They want to know if there is a detour to
20 get services approved until the software is fully
21 functional for the MMIS. And patient names continue
22 to have the first and last name transposed.

23 Patients' payor sources have
24 been arbitrarily changed mid month with retro
25 assignment dates back several years. And one

1 patient that they have knowledge about is showing
2 coverage in both an MCO and a Model Waiver II
3 simultaneously.

4 So, this is kind of what's out
5 there and what is coming down the pike so that you
6 know. Staff has verbalized frustration at this
7 system ongoing as far as their names being
8 transposed and we're not able to make those changes.
9 They have to go to the DCBS office and get those
10 changes made.

11 And who knows better than the
12 individual going to that patient's home what the
13 address is and what their name is and if they're
14 active than the people that are actually doing it
15 versus the informational dump into the software.

16 I have been hanging with
17 waiver for a long time myself with Marilyn, but I
18 really see that this is what is out there brewing
19 and what is coming and we have been bringing it to
20 the Cabinet's attention but I'm not so sure that any
21 headway has been made on any of this, so, just so
22 you know.

23 MR. GRESHAM: Do you have any
24 specific examples you can send me?

25 MS. BRANHAM: I'm sure that--

1 yes, Gregg.

2 MR. STRATTON: Well, I've got
3 some, Earl. I've received Darlene's pipeline.
4 Every time something comes up, she will send it me.
5 I try to send it down the line. A lot of times I
6 will send it over to DCBS or send it to MWMA and we
7 pick them off one at a time slowly, but we haven't
8 seen any resolution or no sign of resolution.

9 Occasionally, John Hoffman
10 will take care of some for me and Robbie has gotten
11 some. I send some down to Glen Sharp. So, we're
12 doing them as they come in but I don't know if
13 they're all tied to the same issue. I don't really
14 know.

15 MS. BRANHAM: So, it's not out
16 there working like it's supposed to be.

17 MR. STRATTON: What's that?

18 MS. BRANHAM: As far as the
19 information that was dumped into the system and,
20 then, the backlog that's out there. I mean, I can
21 go through the litany of issues that relate to this,
22 and I'll start with software. I'll start with
23 incorrect information in the system. I'll start
24 with lack of knowledge about tickets. I'll start
25 with the software kicking you off as you're trying

1 to enter information. I mean, I can go down the
2 line, so, just making you aware.

3 Talking a little bit about -
4 and I've been sending these to Stephanie and I know
5 two months ago when I said you call and get a prior
6 authorization with an MCO for services. You provide
7 those services, and this could go on for three or
8 four or five months or eight months or ten months or
9 no real time limit there.

10 And you're billing these
11 services and you're being paid and you're being
12 paid, and, then, suddenly you get a denial and you
13 get a demand recoupment letter from an MCO because
14 that patient was not on their roster five, ten days
15 mid month and they have been switched back to the
16 State health plan or they've been switched to
17 another MCO.

18 And, so, Stephanie's
19 suggestion was to check their eligibility before you
20 make every visit which is not humanly possible. And
21 if you assume at the first of the month all agencies
22 check eligibility before we go, but we can't do it
23 every time we make a visit because we have those
24 visits authorized and we assume that the MCO that
25 authorized those visits is the MCO that should have

1 authorized those visits. And then you do a billing
2 and it's like, no, uh-huh, no, they're not our
3 client, and this can go back----

4 MS. CARTRIGHT: I've got one
5 for '15. I just got it.

6 MS. BRANHAM: And it does
7 happen. So, I have been sending those to Stephanie
8 and I actually said, do you want every one of these
9 that are sent to me in regards to this because it is
10 happening, and I don't know where the glitch is.

11 Sometimes they will switch two
12 and three times in a month or in a three-month
13 period they will switch and you don't know if
14 they've gone to the State health plan or they've
15 gone to another MCO or what is occurring but it does
16 occur.

17 We have examples. I provided
18 examples to Stephanie and I guess Rebecca brought
19 one today. Did they switch only one time or three
20 months?

21 MS. CARTRIGHT: This patient
22 was on our service from April to May of 2015, and we
23 just received something in the mail from Aetna that
24 this patient was actually retroactive under
25 traditional Medicaid on 12/10/15, and then they

1 backdated the coverage to 1/1/15 through 1/1/16.
2 And, so, we're looking at a \$1,204 writeoff, and,
3 then, Aetna has recouped \$408, but we just received
4 this on a patient that we have all the proof that we
5 checked eligibility for in '15.

6 MS. BRANHAM: So, it is
7 occurring and we don't know why. Do y9ou all have
8 any answers?

9 MR. STRATTON: I don't. Can I
10 have a copy of that?

11 MS. CARTRIGHT: Yes, I will
12 give you this.

13 MS. BRANHAM: So, again, it
14 leads to time that should not have to be spent in
15 dealing with issues such as that, and I don't know
16 what to do other than to feed them to Stephanie.
17 Gregg, is that where----

18 MR. STRATTON: I would send
19 them to Stephanie and that's who I was hoping would
20 be here today or Cindy Arflack. They would have a
21 little bit better response than I would.

22 MR. GRESHAM: But if you could
23 also call BS because of being waiver members.

24 MS. BRANHAM: Thank you. But
25 it does occur, and if it's retro, I mean, the

1 suggestion to check eligibility before you go
2 perform a visit doesn't assist that in any way
3 because it comes out and it's retroactive and they
4 revert it back to a time that you had no clue.

5 So, we've got a glitch
6 somewhere and it's causing some frustration.

7 Trying to move along----

8 MS. DYER: I might add to
9 this. We had a situation just like this, a patient
10 in waiver that flipped in the middle of the month to
11 an MCO and somehow that is causing problems getting
12 other services, even medication.

13 MS. BRANHAM: Yeah, it goes
14 back to it could be a hospital stay, it could be a
15 doctor's visit, it could be the pharmacy. It
16 affects not just us as providers but across the
17 board when that eligibility is flipping around like
18 a tadpole.

19 MS. DYER: So, the whole care
20 of the patient is kind of what I'm saying there and
21 the same thing everybody else is saying. So, if
22 we're trying to keep people in their homes and out
23 of the nursing home, it's really causing problems.

24 I will ask Kristen, Gregg, to
25 include that scenario in her letter that we're going

1 to try to get out by Friday.

2 MS. BRANHAM: Thank you,
3 Billie.

4 MS. DYER: And she can send it
5 to Stephanie also but just so you can see it
6 specifically there. Okay?

7 MS. BRANHAM: Cindy and
8 Stephanie.

9 MS. DYER: I don't know if we
10 have both of those contacts. Can that be sent out
11 by Annette to everybody so everybody knows who to
12 send it to?

13 MS. BRANHAM: Sure. Trying to
14 wrap this up, we've kind of talked about New
15 Business, the regulations of the conflict-free and
16 the conflict-free and the issues with the paperwork
17 relating to waiver services. Then we've talked
18 about flipping back and forth and the issue that
19 that results in.

20 And a couple of more things
21 that have been brought to our attention is home
22 health agencies that have medical directors can
23 acquire and order and administer hydration fluids
24 with specific HCPCS codes after the physician's
25 order and the cost-effective method of keeping the

1 patient rather than an ER visit or an admission for
2 simple rehydration.

3 In the prior services manual,
4 IV therapy supplies including solutions unless a
5 drug has been added to the solution can be filled by
6 the pharmacy were covered and paid by Medicaid.
7 After the publication of the fourteen Schedule of
8 Supplies mentioned, no code was assigned.

9 So, we have this copy of the
10 Home Health Services Manual for a reference. And
11 can you guide us on the specifics that may have
12 changed there; and if so, give us a directive.

13 MR. STRATTON: When Marilyn
14 comes back, let's direct that question to her.

15 MS. BRANHAM: Okay. And
16 gloves were omitted from the Home Health Schedule of
17 Supplies, but regulation 907 KAR 1:030 was amended
18 and gloves are reimbursable under specific HCPCS
19 codes and we're wondering what happened there.

20 MR. STRATTON: They're not a
21 covered item.

22 MS. BRANHAM: They're part of
23 doing business. Gregg, do you want to give us a
24 directive on that to put out to providers that they
25 are a non-covered item?

1 MR. STRATTON: Sure. We had
2 that addressed the other day from our DME person
3 here at Medicaid and I can just have him give a
4 little bit better response. I sent it on to
5 Professional Home Health when I received it, but I
6 could forward it to the group if they would like
7 that.

8 MS. BRANHAM: Okay.
9 Yesterday, I think most people received a directive
10 from the Cabinet that with this transition of
11 therapies going stand-alone, that there's going to
12 be a couple of workshops next Tuesday and Wednesday
13 about this transition to help guide them.

14 Anything you want us to know
15 as home health providers or is this directed just as
16 independent therapy models under the new program?

17 MR. EASTHAM: Mostly it's
18 independent therapy models. I will tell everybody,
19 there's been one question about the webinar link.
20 They keep asking me when are we going to put the
21 link up or where is the link, and it's going to be
22 posted on the DMS website when it gets closer to the
23 date. Oh, wow, it's pretty close anyway.

24 MS. BRANHAM: It's coming
25 soon.

1 MR. EASTHAM: I'm not 100%
2 sure.
3 MS. GRESHAM: It's usually 30
4 minutes before it is opened is when they will post
5 that link.
6 MS. BRANHAM: So, it's going
7 to be 30 minutes prior to the sessions.
8 MS. GRESHAM: That's usually
9 when they post it for all the webinars I've ever
10 done.
11 MS. BRANHAM: On the DMS
12 website. Okay.
13 Most providers are receiving
14 provider letters about July 1 reimbursed for waiver.
15 All new waiver providers and new--existing providers
16 must be compliant with the final rule. And I guess
17 the final rule, is that what we had, Gregg, from you
18 but we're still waiting approval from CMS?
19 MR. STRATTON: On the final
20 rule?
21 MS. BRANHAM: This provider
22 letter that agencies are receiving.
23 MS. GRESHAM: This is
24 regarding new waiver settings. This is guidance
25 directly from CMS that if you are putting up a new

1 setting. So, for instance, for you all, it would be
2 an ADHC, or for the HCB Waiver, would be an ADHC.
3 If they billed a new ADHC now, it must be fully
4 compliant with all of the final rule, federal
5 regulation or we cannot make that a Home- and
6 Community-Based provider, so, if any new setting
7 that is built.

8 MS. BRANHAM: That's strictly
9 because it lists different entities that it seems to
10 affect.

11 MS. GRESHAM: Yes. And that's
12 for any new setting for Home- and Community-Based
13 Waiver setting.

14 MS. BRANHAM: So, this is a
15 provider letter that has gone to Acquired Brain
16 Injury, Adult Day, Home- and Community-Based and
17 Supports for Community Living.

18 So, I guess it's just guidance
19 from CMS, although when you look at it, you like go,
20 okay, where is the new waiver. It says settings
21 because most people don't open a setting for Home-
22 and Community-Based Waiver. So, I just wanted to be
23 able to put----

24 MS. GRESHAM: Home- and
25 Community-Based Waiver is all of our waivers. All

1 1915(c) waivers for the federal government are
2 called Home- and Community-Based Waivers. So, that
3 would include our Home- and Community-Based Waiver,
4 ABI, ADI, LTC, Model Waiver II, SCL, Michelle P.
5 All of those waivers fall under that umbrella with
6 CMS.

7 For a final rule, they have
8 told us that if there are any new settings which
9 that's their term, a setting is anything. It could
10 be for SCL residential, a new residential setting
11 even with an existing provider or a brand new
12 provider or for our Home- and Community-Based Waiver
13 could be an ADHC, those things. If there's a new
14 setting, they have to be fully compliant with that
15 federal regulation.

16 MS. BRANHAM: Okay. There's
17 going to be a forum or I guess it was invitation
18 only in regards to pediatric services. I saw an
19 email that relates to that and no home healths were
20 invited, the best we know.

21 But in preparation of what's
22 going on in the pediatric world and agencies that
23 are providing home health, they're not really
24 providing skilled services and respite care services
25 to pediatric patients, I did put out to the

1 membership because that's the email I have asking
2 who provides pediatric services across the state.

3 And we have a pretty good
4 coverage of that, but I understand that's not always
5 the case when families are looking for this kind of
6 care.

7 MR. STRATTON: And the reason
8 I asked for that to be added was the IDD TAC that
9 they had last week, it was brought up because with
10 the Michelle P. Waiver, we're being limited to forty
11 hours per week of combined services and that's
12 opening up a new market for home health providers to
13 provide private duty nursing to some of those
14 members because they're going to be losing some
15 services.

16 So, that's why they had
17 brought that up. If they've got up to 2,000 hours a
18 year, who can we get to provide those services?
19 Most of them don't offer for pediatric.

20 So, if you've got a list, I
21 can send that to Patty Dempsey of the ARC of
22 Kentucky and she can disseminate that out.

23 MS. BRANHAM: Okay. Anything
24 else?

25 It would be very helpful if

1 all the MCOs could give their email address to
2 Annette. Annette will give you her card and you can
3 hand it to the MCOs so that we know who to contact
4 for issues that we're having.

5 MR. BOLOS: Sharon, can I ask
6 a question?

7 MS. BRANHAM: Yes.

8 MR. BOLOS: Could I get a list
9 of the pediatric home health agencies?

10 MS. BRANHAM: I will send it.
11 That's why I wanted everybody's email here today.

12 MR. BOLOS: Okay, because
13 that's been a big issue with our members.

14 MS. BRANHAM: I was trying to
15 head a little bit of that off with getting this
16 information. Give to Annette this information of
17 your email addresses of the appropriate folks and
18 then we'll not only send it to you, Gregg, but we'll
19 send it to the MCOs for providers who say they
20 provide this additional service throughout the state
21 and then we can see what kind of coverage we have.
22 Niki, I will send it to you.

23 MS. MARTIN: That would be
24 great. Thank you.

25 MS. BRANHAM: If there is no

1 further discussion, we will adjourn the meeting
2 except for the fact that we'll make note of the July
3 meeting is to be held the 27th.

4 With no further discussion, we
5 will adjourn the meeting. Thank you so much for
6 your attendance.

7 MEETING ADJOURNED
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